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H – 676

International Court of Justice

H0676 - 0002

Notice.

Not to be publicized until presented before the tribunal in open court and then only that portion actually submitted as evidence.

A ne pas publier avant présentation devant le tribunal en session publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jener Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

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SUPPLEMENTAL DOCUMENTS FOR THE DEFENDANT KALTENDRUNNER.

Affidavits;

Martin Niemoeller, Joseph Schwalber.

Interrogatories;

Friedrich Karl von Eberstein, Prof. Burckhardt, Hans Bachmann,

Hans E. A. Meyer, August Eingruber, Wilhelm Waneck.

H0676 - 0004

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

Ka' 2nd April 1946

AFFIDAVIT.

I the undersigned, Dr. Mildner, at present in prison in Nuremberg, make the following affidavit in answer to the questions put by Attorney Dr. Kaufmann, for presentation to the International Military Tribunal.

1st. Question: Give details of yourself.

Answer: I was entrusted with tasks for the Gestapo for about 10 years. From 1938 to 1945 I came under Office IV, that is the Gestapo of the RSHA Berlin. I was only at the RSHA Berlin itself for approx. 3 months, from March to June 1944. Moreover I was for the most part Director of Provincial Branches of the Gestapo.

2nd. Question: What information can you give as regards Kaltenbrunner's personality?

Answer: From my own knowledge I can confirm the following: I know the defendant Kaltenbrunner personally; his private life was beyond reproach. In my opinion his appointment to Chief of the Security Police and the SD by the Senior SS Executive and Police Officer took place because Himmler, after the death in June 1942 of Heydrinh, his chief rival, would suffer no one beside him or under him, who could endanger his position. The defendant Kaltenbrunner was undoubtedly the least dangerous for Himmler, Kaltenbrunner had no ambition to gain recognition for himself by particular deeds and possibly push out Himmler. There was no question of a lust for power in his case. It is quite incorrect to call him "the little Himmler".

3rd. Question: What attitude did Kaltenbrunner adopt towards office IV (Gestapo) ?

Answer: I know of no specific limitation of the defendant Kaltenbrunner's competency with regard to the offices which came under the RSHA; on the other hand I can say that the Chief of Office IV, Mueller, acted independently by virtue of his long experience and no one, not even the Office Chiefs of the remain-

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ing offices of the RSHA, gained any insight into the tasks and methods of his office IV. He had direct protection from Himmler.

4th. Question: Did you ever see any Orders for Executions by Kaltenbrunner?

Answer: I have never seen an original order, i.e. something signed by him personally. I do know that orders for protective custody bore a facsimile of his signature or his typewritten signature. This was a custom which had grown up in Heydrich's time.

5th. Question: Did orders for executions (Exekutionsbefehle) rest with Kaltenbrunner or Himmler? Who was responsible for the setting up and running of the Concentration Camps?

Answer: I know that the orders for executions rested with Himmler. As far as I know no other Section of the RSHA could issue such orders without his permission. I know furthermore that the Concentration Camps were under a particular main Dept., namely the SS Economic and Administrative Main Dept., which was under the direction of Pohl. The Concentration Camps had nothing to do with the RSHA. This applies to the whole of the administration, food, treatment, camp routine etc. The Inspector of Concentration Camps was Gluecks. The official channels were therefore: Himmler, Pohl, Gluecks, Camp Commandant.

6th. Question: Did Kaltenbrunner order any of the Concentration Camps to be evacuated?

Answer: I am not aware that the defendant Kaltenbrunner had issued any orders with regard to the evacuation of Concentration Camps.

7th. Question: Did Kaltenbrunner issue the order to arrest Danish citizens of the Jewish belief and transport them to the Concentration Camp at Theresienstadt?

Answer: No. I can answer this question exactly because I myself as a member of the Gestapo was concerned with this matter in Denmark in September 1943. The Chief of the SIPO and SD had

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received the order in September 1943 to arrest all Danish Jews and despatch them to Theresienstadt. I flew to Berlin to try and get this order cancelled. Shortly afterwards a Himmler order reached Denmark, ordering the Jewish operation to be carried out. Kaltenbrunner therefore did not issue the order. I did not speak to him, he was not even in Berlin

Read and found correct.

signed: Dr. Mildner.

Nuremberg. 29th.March 1946.

I certify herewith that this copy corresponds with the original.

Dr. KAUFMANN

(Dr. Kaufmann)

CERTIFICATE OF TRANSLATION

2 April 1946.

I, P/O. BETTY D. RICHARDSON, W.R.N.S., 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation.

P/O. BETTY D. RICHARDSON
W.R.N.S., 66370

Ki No. 2
Filed April 11, 1946
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AFFIDAVIT.

I, the undersigned, Dr. Wilhelm Hoettl, make the following affidavit in answer to the questions put by Attorney Dr. Kaufmann for presentation to the International Military Tribunal.

1st. Question: Give exact details of yourself.
What was your official position in the SD?
Where did you know Dr. Kaltenbrunner?

Answer: I was born on 19.3.1915 in Vienna; by profession a historian My occupation up to the time of the German collapse was that of Consultant to Amt VI (Intelligence Service Abroad) of the RSHA. After the Anschluss with Austria in 1938 I voluntarily joined the SD. Coming from the National Catholic Youth Movement, I set myself the aim of carrying through a moderate political policy for my country.

I made the acquaintance of Kaltenbrunner in 1938; he knew that the above was my aim.

In 1941, on the personal orders of Heydrich, I was called before the SS and Police Court for "Being under religious influence and for being unreliable from the political and ideological point of view" and had to join the ranks as an ordinary private. After Heydrich's death I was pardoned and at the beginning of 1943 drafted by the Chief of Amt VI of the RSHA, Schellenberg, into his office. Here I was in charge of the Vatican Referat as well as of some State Referats in the Balkans.

When Kaltenbrunner was appointed Chief of the RSHA at the beginning of 1943 I was continually in touch with him at work, particularly since he was endeavouring to draw the group of Austrians in the RSHA nearer to him.

2nd. Question: Give an estimate of the numbers involved at the Head Office of the RSHA in Berlin:

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Answer: At the Head Office in Berlin, Amt VI (Gestapo) had approx. 1500 members, Amt V (Criminal Police) 1200, Ämter III and VI (Intelligence Service at home and abroad) 3 - 4000 each.

3rd. Question: What is understood by SD and what were its tasks?

Answer: Heydrich organised the so-called Sicherheitsdienst (Security Service) (known as the SD) in 1932. Its task was to give the highest German Authorities and the various Reich Offices information on all happenings at home and abroad.

The SD was purely an Information Service and had no sort of executive authority. Only individual persons belonging to the SD were drafted to the so-called Special Units (Einsatzkommando) in the East, they thereby assumed executive positions and resigned from the SD for this period. There were Special Purpose Groups and Special Purpose Units of the Security Police and the SD up to the last; also in Africa, even in 1944 in Hungary and Czechoslovakia. These units (Kommandos) had nothing to do with executions. Their tasks had in general become similar to those of the Security Police in the meantime. Executions were only carried out to my knowledge in Russia and these by virtue of the so-called Commissar-Order by Hitler. Whether these units ceased their activity after Kaltenbrunner was named Chief of the RSHA or whether they continued I do not know.

4th. Question: Do you know about the Eichmann operation (Aktion) to exterminate the Jews?

Answer: I only learned exact details about the Eichmann operation at the end of August, 1944. At that time Eichmann himself gave me more details. Eichmann explained among other things that the whole operation was a special Reich secret and only a very few people knew about it. The number of members of this unit was in my

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estimation, in all hardly more than 100 people.

5th. Question: What do you know about the relations between Eichmann and Kaltenbrunner?

Answer: I know nothing about the official relations between the two. Eichmann may well have no direct official contact with Kaltenbrunner. He often asked me to arrange a meeting with Kaltenbrunner for him. Kaltenbrunner always refused.

6th. Question: What were the relations between Kaltenbrunner and the Chief of the Secret State Police, Mueller?

Answer: I cannot give any details about their official relations. It is certain, however, that Mueller always acted quite independently. He had gained great experience in Secret State Police matters over a period of years. Himmler thought highly of him. Kaltenbrunner didn't think anything of him at all. Kaltenbrunner had neither technical experience in police questions nor any interest in them. The intelligence service took up the main part of his attention and all his interest, especially in as far as it concerned foreign countries.

7th. Question: Who was in charge of the concentration camps?

Answer: The SS office of economic administration had sole charge of the concentration camps, - that is, not the RSHA and, therefore, not Kaltenbrunner. The latter, therefore, had no power to give orders and no competency in this sphere. Judging by my opinion of him as a man, Kaltenbrunner certainly did not approve of the atrocities committed in the concentration camps. I do not know whether he knew about them.

8th. Question: Did Kaltenbrunner issue or pass on an order that enemy aviators who made forced landings were to be given no protection in the event of lynch justice being carried out by the population?

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Answer: No, I never heard about anything of the kind from Kaltenbrunner although I was with him a great deal. As far as I can remember, however, Himmler issued an order of this kind.

9th. Question: Did Kaltenbrunner issue orders that Jews were to be killed?

Answer: No, he never issued such orders and, in my opinion, he could not issue such orders on his own suthority. In my opinion, he was opposed to Hitler and Himmler on this question, that is, the physical extermination of European Jewry.

10th. Question: What Church policy did Kaltenbrunner pursue?

Answer: As a Vatican advisor, I often had the opportunity of speaking to him officially on this subject. He immediately supported my suggestion, made to Hitler in the Spring of 1943, that a change in Church policy should be effected so that the Vatica could be won over as a peace negotiator on this basis. Kaltenbrunner had no success with Hitler, as Himmler took up the strongest attitude against him. The German Ambassador, Baron von Weizsaecker, with whom I discussed the matter, had equally little success with the Pope; Bormann had an eye kept on him for this reason.

11th. Question: Did Kaltenbrunner intervene in Foreign Polities in the interests of peace?

Answer: Yes, in the Hungarian question, for example, he was successful, in March 1944 when the German troops occupied Hungary, in persuading Hitler to moderation and in preventing Roumanian and Slovak units from marching in as planned. Thanks to his support, I was able to prevent a planned National-Socialist government from being formed in Hungary for another six months. Kaltenbrunner wanted the old Austro-Hungary to be reestablished on a federative basis.

Since 1943, I had favoured the view when talking to Kaltenbrunner that Germany must endeavour to end the war by peace

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at any price. I told him about my connection with an American office in Lisbon. I also told Kaltenbrunner that I had recently made a contact with an American office in a neutral country through the Austrian resistance movement. He said he was also prepared to travel to Switzerland with me and start the negotiations with an American representative in order to avoid further pointless bloodshed.

12th. Question: Do you know that Kaltenbrunner instructed the Commandant of Mauthausen Concentration Camp to hand over the Camp to the approaching troops?

Answer: It is correct that Kaltenbrunner did give such an order. He dictated it in my presence, to be forwarded to the Camp Commandant.

13th. Question: Can you say something briefly about Kaltenbrunner's personality?

Answer: Kaltenbrunner was a completely different man from Himmler or Heydrich. He was therefore strongly and fundamentally opposed to both of them. He was appointed Chief of the RSHA, in my opinion, because Himmler did not want to run the risk of having a rival like Heydrich. It would be wrong to call him "little Himmler". In my opinion he was never in complete control of the large office of RSHA and occupied himself very much more with the Intelligence Service and the influencing of policy as a whole, being very little interested in police and executive tasks. He regarded the former as his particular sphere.

Read through and found correct:

Nuremberg, 30th.March 1946. signed: Dr. HOETTL.

I hereby certify that this copy corresponds with the original.

Dr. KAUFMANN

(Dr. Kaufmann)

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C o p y.

Dr. Hans v. Bomhard. M.D.

Munich, 23,
Ohmstr.12/II.

16.3.46.

The Reverend Mr. Neuhäusler, Prelate.

I can report, in answer to the question as to how far the German population knew about conditions in the Concentration Camps that:-
Several patients, whom I questioned closely during consultations about conditions in Dachau concentration camp, after they had been released,- during the years 1937 to 1945 - strictly refused even the slightest information explaining that this would have evil consequences for them.
I make the above statement by way of affidavit.

signed. Dr. Hans v.Bomhard.

I certify that this copy corresponds to the original.

K. Kaufmann.
(K. Kaufmann)

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CERTIFICATE OF TRANSLATION

3 April 1946.

I, P/O. BETTY D. RICHARDSON, W.R.N.S., 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation.

P/O. BETTY D. RICHARDSON
W.R.N.S., 66370

July 3, 1946

Exh. No. 2

Questionnaire to Prof. BURCKHARDT
President of the Red Cross
dated 28 January 1946.

Question 1: Did you have on 12 March 1945 a meeting with KALTENBRUNNER at Feldkirch which lasted several hours?

Question 2: How did this conference come about?
You are requested to provide or to include in your testimony the whole correspondence, namely KALTENBRUNNER's letters, leading to or resulting from this conference.

Answers: On 2 October 1944 the president of the International Committ. of the Red Cross again addressed himself, as he had for years, to the Foreign Office of the German Reich, on the question of the so-called persons in protective custody held in the concentration camps, by forwarding a note with a personal letter to Minister von RIBBENTROP, where in particular the following requests were made:

a) Publication of the names of the internees, of the place where they are in custody, of their state of health; forwarding of messages between the persons in custody and their relatives;
b) Possibility of receiving charitable gifts consisting of food clothes, medicine, and books;
c) Authorization of visits by a neutral agency, for instance th International Committee of the Red Cross, whose task it woul be to gather information about the living conditions of the internees in respect to billeting, food, hygiene, and treatment;
d) Possibility for the internees, if they are subjected to lega proceedings, to learn the cause of their accusation and to obtain if possible an acceleration of the proceedings.

As after two months no answer had yet arrived from the German authorities, the International Committee of the Red Cross brought up the matter again in a letter of its president, again addressed personally to the Reich Minister for Foreign Affairs, recalling the afore-mentioned note of 2 October 1944 and moreover suggesting at least a partial repatriation of the concentration camp internees. The International Committee of the Red Cross received only on 1 February 1945 an answer from the Foreig. Office, containing the following statements:

"The German authorities concerned have thoroughly examined the statements made by the International Committee of the Red Cross on the question of the treatment of persons in protective custody.

As a result of this examination, the following measures have been taken for the persons in protective custody who come from the French and Belgian area:

1. A message service between the persons in protective custody and their relatives will be established by means of Red Cross blanks. The preparations to that effect have been completed. It is to be expected that the message service will be launched within a very short time. By this means the names of the internees will be learned: in particular they can give information concerning their state of health.

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2. The persons in protective custody may receive parcels containing food, clothing, medicine, and books, as individual parcels addressed to specific persons as well as in the form of collective shipments of the International Committee of the Red Cross.

3. In case of legal proceedings the persons in protective custody will be informed of the cause of their indictment. That is a compulsory regulation of German criminal legislation, which also provides that the bill of indictment be served on the defendant.

Since the names and the addresses of the persons in protective custody will be made known to the relatives and to the International Committee of the Red Cross through the postal service, it seems superflucus to draw up and submit special lists. Besides, the German authorities make it a point to readily supply information upon individual inquiries concerning persons in protective custody.

Inspection of the camps and detention places where the persons in protective custody are stationed is at present not practicable due to coercive reasons of national defense.

The question of the repatriation of persons in protective custody, raised by the letter of the International Committee of the Red Cross of 9 December 1944, is still being examined. For the decision to be taken it would be important to know whether the International Committee of the Red Cross can hold out the prospect that persons in custody in France, Alsace and Lorraine will also be repatriated."

In its answering note of 15 February 1945, the International Committee of the Red Cross again urged that the camps be made known, in order to be able to organize its relief shipments effectively. Then, after having received in the meantime corresponding promises, particularly from France and Belgium, it demanded that its delegates should be enabled to visit the camps, and finally made concrete proposals for the repatriation of certain categories of internees. Thus, it proposed that all sick, wounded and old persons as well as women and children should be repatriated, and also those persons against whom no criminal proceeding is pending or whose punishment has been paid or falls under the statute of limitations. Further points of the letter need not be considered in this connection.

On 2 March 1945 the German consulate in Geneva handed a note to the International Committee of the Red Cross, in which the following attitude was taken with regard to the repatriation question:

"After examining the matter, it can now be stated that the Reich Government is ready to repatriate French children, women and old persons who are in Germany, if German civilian internees are repatriated from France.

Suggestions covering the extent of the repatriation operation will be submitted to the International Committee as soon as possible. But it is assumed that in France, also, the required preparatory measures for the accelerated execution of this operation will be undertaken immediately."

In this connection, the International Committee of the Red Cross did receive a communication that Reichsfuehrer HIMMLER or a deputy named by him desired to have a personal interview with the president of the International Committee. This conference was set for 12 March 1945, and it was agreed that agents of the Security Service (Sicherheitsdienst) should meet him at the Lichtenstein-German frontier near Feldkirch. (In the following I will come back to the correspondence which resulted from this conference).

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Question 3: Did KALTENBRUNNER tell you at the beginning of the talk that he did not have any authority over the internment and concentration camps and that consequently he could not independently grant releases which might be requested?

Answer: It is true that Dr. KALTENBRUNNER did inform me that he was not competent to make final decisions on the questions under discussion; that he was charged by the Reichsfuehrer to listen to the proposals made by the president of the International Committee of the Red Cross and to discuss their execution, but that final agreement was up to the Reichsfuehrer or to the Reich Foreign Minister.

Question 4: Did KALTENBRUNNER tell you that nevertheless he would endeavor to represent energically all your wishes and demands before the competent authorities in Berlin?

All questions pertaining to concentration camps, to the exchange and the release of internees, would concern HIMMLER, and International agreements would concern Mr. von RIBBENTROP.

Answer: In the course of the conversation I had indeed the feeling that Dr. KALTENBRUNNER was interested in seeing that the proposals of the International Committee of the Red Cross be granted, and he declared himself willing to support them before the determining authorities in Berlin; he said that besides the Reichsfuehrer Mr. von RIBBENTROP was competent for all international agreements

Question 5: Your first demand was this: Exchange of all internees between France and the German Reich. On both sides there was not sufficient information concerning numbers, but it was certain that an exchange signified a much greater concession on the part of the German Reich, since the number of French internees to be exchanged was substantially greater than that of German internees Is it true that nevertheless KALTENBRUNNER immediately recognized your demand and promised to put it through?

Answer: For the settlement of the repatriation of French concentration camp internees I referred for my part to the note of the German Consulate of 2 March 1945. Obviously, Dr. KALTENBRUNNER did not know yet about the concession contained in the document. I maintained my position that only an exchange by categories and not person for person could be considered, and in support of my standpoint I could cite the promise of the French government that in case of a repatriation of sick persons, women, children and old persons of French nationality, <u>all</u> German civilians held in custody in France would be released. Dr. KALTENBRUNNER was ready to represent this thesis in Berlin.

Question 6: For his part, Dr. KALTENBRUNNER declares that already 10 days after your conference Dr. MEIER was in a position to fetch the 300 French citizens in Ravensbrueck.

Answer: After I had remained for 10 days without any confirmation of the provisional agreement reached on 12 March 1945 with KALTENBRUNNER, I did not want to delay the execution of the repatriation any longer and on 23 March 1945 charged the delegate of the International Committee of the Red Cross, Dr. Hans MEIER, to begin with the repatriation

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operation in connection with a transport by automobile convoy of charitable gifts, or to bring concentration camp internees back to Switzerland on the trucks used on their way down for the transportation of food supplies. For that purpose I gave him a letter addressed to Dr. KALTENBRUNNER, who then permitted him to proceed with his automobile convoy to Ravensbrueck and to begin with the repatriation of French women. Dr. MEIER arrived in Switzerland on 9 April 1945 with 298 French women from the Ravensbrueck camp.

Question 7: Did KALTENBRUNNER, upon your request, use his influence for the release of a Polish noblewoman, and did the latter arrive in Switzerland already with the first transport? (Presumably about the end of March). In any correspondence concerning this matter in your possession?

Answer: It is correct that Dr. Karla LANCKORONSKA, who was a Ravensbrueck internee of Polish nationality, was also included in this transport of French women. In his letter of 29 March 1945, Dr.KALTENBRUNNER wrote:
"...In addition, one could contemplate individual exchanges, as suggested by you"

Question 8: You suggested that in all camps where there were foreign civilian internees and Jews a relief action should be immediately launched by the Red Cross. Did KALTENBRUNNER agree with that request of yours? (12 March 1945)

Answer: Dr. KALTENBRUNNER again confirmed the promises of the Reich authorities, as indicated in the note of 1 February 1945.

Question 9: KALTENBRUNNER states that he not only accepted immediately your request concerning relief through sending of food, clothing, and medicines, but that he has also recommended to you to send physicians and medical personnel (immediately). Is this correct?

Answer: In accordance with the earlier requests of the International Committee of the Red Cross to the Reich authorities, one of the principal aims of my conference was the dispatching of delegations to the concentration camps. In this connection, Dr. KALTENBRUNNER expressed himself to the effect that medically trained personnel would come into consideration before anyone else, but that there was an especial difficulty in the fact that persons in protective custody were employed in war industry and often in those of its sectors which had to be kept secret. Visits to camps, as organized for POW camps, were therefore out of the question. The possibilities were either visits by delegates accompanied by members of the police, in which case it could only be an inspection of the hygienic installations, or a permanent establishment of the delegates in the camps, in which they would have to stay until the end of the war and until the camps were closed. But Dr. KALTENBRUNNER could not make any binding decision about this question either.

Question 10: KALTENBRUNNER says that he was meeting you half way in all respects and that he himself made further positive proposals, e.g.: on or about 12 March 1945.

a) In view of the fact that the French de GAULLE government was not recognized by the German Reich, he proposed that a supply agency of the I.R.C. be recognized by both sides as a legal entity having the character of a "protective power".

b) That your personnel, which included Canadian drivers, could use any road in Germany.

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c) That a permanent joint committee for the promotion of all questions discussed should be set up as soon as possible at Constance.
Is this all correct?

Answers: a) The question of possible protective power functions of the International Committee of the Red Cross with the French government was in fact discussed. In this letter of 29 March 1945, Dr. KALTENBRUNNER remarked as follows on that subject:
"In Germany the French POW's of 1940 and the French civilian workers are under the authority of the governmental committee of Sigmaringen. There are no regulations as yet concerning the POW's from Gaullistic formations, who were captured during the last weeks. A de facto settlement, through which the International Committee of the Red Cross would equally take care of the Gaullistic POW's in Germany and the German POW's held by the Gaullists in France, can be contemplated. Formal recognition of the International Committee of the Red Cross as an official protective power should, however, be avoided."

b) It is true that Dr. KALTENBRUNNER held out the prospect of granting to the truck convoys of the International Committee of the Red Cross permission to circulate on any road in Germany. It was intended to provide Canadian prisoners of war as drivers for the International Committee, within the frontiers of the Reich.

c) In his letter of 29 March 1945, in which Dr. KALTENBRUNNER confirms the discussion which took place in Feldkirch, he contemplates further discussions in Constance of the technical questions concerning the exchange of civil internees, for which he will delegate , for his part, two experts, while the Foreign Office will be represented there by Minister WINDECKER.

Question 11: KALTENBRUNNER declares that through this agency he invited your general secretary Dr. BACHMANN to a further conference, which took place on 24 April 1945 at Innsbruck.

Answer: It is true that Dr. KALTENBRUNNER through this agency invited Dr. BACHMANN of the International Committee of the Red Cross to a conference at Innsbruck on 23 April 1945.

Question 12: In a private conversation with you KALTENBRUNNER expressed to you his regret for Berlin's policy and its unavoidable consequences and acknowledged himself as a convinced opponent of this policy? On this occasion you came to speak about RIBBENTROP and about KALTENBRUNNER's personal efforts to protect the interests of his Austrian fatherland even against the will of the Reich leadership, having in mind in this instance the connection with Mr. DALLES which was being established. Is this true?

Answer: I recall that Dr. KALTENBRUNNER criticized unfavorably the foreig policy of the Reich and that he expressed the hope that Austrian interests would have the benefit of special treatment, speaking thereby of his "Austrian fatherland." I cannot recall whether he mentioned his connection with Mr. DALLES.

Question 13: Did you - after completion of the interview with KALTENBRUNNER - express yourself during a conversation with Mr. DALLES, to the effect that KALTENBRUNNER had made a very good impression upon yo and that he approved and promised to support your demands?

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Answer: I had no conversation with Mr. DALLES and therefore could not express to him my opinion concerning Dr. KALTENBRUNNER.

Question 14: KALTENBRUNNER wrote to you from Berlin about the subject under discussion. You are requested to submit these letters also, or to include them in your deposition.

Answer: As already pointed out, Dr. KALTENBRUNNER confirmed the discussion of 12 March 1945 in a letter dated 29 March 1945. In transmitting the decision of the competent authorities, he expresses the following views concerning the individual points:

"I. Prisoners of war:

1) The question concerning the proposed exchange of severely wounded French and Belgian prisoners of war is being examined on the basis of a proposal made by the International Committee of the Red Cross. An answer concerning this will be sent to you by the Foreign Office.

2) In principle, there are no objections against the proposal to supply French and Belgian prisoners of war in Germany with food, clothing, and medicines. This question also is already being discussed by the Foreign Office with the Berlin delegation of the International Committee of the Red Cross.

II. Civilian Internees:

1) The total exchange of all French and Belgian civilian prisoners against all German civilian prisoners, as proposed by you, would greatly favor the French. We would have to release approximately 62,000 French civilian internees against only 15,000 German internees.

Moreover, the categories are entirely different. The Germans held by the French are persons who were interned solely because they remained in France, while the French civilian internees held by the Germans are largely accused of serious actions against the occupational forces during the occupation of France.

We can, however, nevertheless agree to the toal exchange of civilian internees, under the following conditions:

a) If it is absolutely certain persons from Alsace and Lorraine who cooperated with us, who acquired German citizenship but who are still considered in France as French citizens, will no longer be persecuted and will be included in the exchange if they desire and

b) if furthermore, the persecution of French collaborationists is finally stopped.

2) If the total exchange of civilian internees cannot be achieved, there remains the possibility of coming to an agreement on an exchange of an equal number of people, including the inhabitants of Alsace-Lorraine. This could be started with the repatriation of old people, sick, children, and women, according to the proposal of the International Committee of the Red Cross.

In addition individual exchanges could be considered as suggested by you.

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Answer to question 14 (continued).

3) A grouping of civilian internees in separate camps according to nationality, as is at present already being done for Norwegian and Danes, could also be considered within the scope of technical possibilities.

4) After consultation with my agencies, the supplying of civilian internees with food, clothing and medicines by the International Committee of the Red Cross has already been permitted on principle by the Reich Foreign Minister. About the details of the technical execution, discussions with the Berlin delegation of the International Committee of the Red Cross took place, which resulted in an outcome satisfactory for all concerned.

III. The functions of the ICRC as protective power see page 5 under 10

IV. Polish prisoners of war from the Warsaw insurrection, Polish women and youths who fell into our hand during the Warsaw insurrection:
The hospitalization of Polish women and youths prisoners of war who fell into German hands during the Warsaw insurrection, can be considered if we obtain something in return, for instance if England and the U.S.A. are ready to release the German women fallen into their hands, who are members of the Wehrmacht or attached to the Wehrmacht (Wehrmachtsgefolge), clerk auxiliaries (Stabshelferinnen), Red Cross nurses, etc.

V. Jewish civilian internees:
Concerning the transfer of Jewish civilian internees to Switzerland, I could also notice a certain openness.
In this problem, however, as I see it, it cannot be a question of compensations or favors in return, but it should clear by what means and in which fields the German Reich can expect obliging gestures.

VI. For the formal further handling of the points given above, I should like to suggest that you instruct your Berlin delegation to contact the Foreign Office without delay. In order to speed these discussions I am forwarding a copy of this document to your Berlin delegation and to the Foreign Office.

Question 15: You are also requested to report on the results of the work with the liaison office in Constance.

Answer: The liaison office set up in Constance, led by Minister WINDECKER, rendered valuable services, particularly with respect to the transportation service, in connection with supplying prisoner of war and concentration camps with food as well as repatriating internees. In certain cases it was not afraid to exceed its competence in order to ease the relief action. (Specifically by granting to the first motor car convoy permission to enter the Reich, although the necessary authorizations had not been received from Berlin).

Question 16: In your conversation with KALTENBRUNNER on 12 March 1945 it is said that you also treated the question of the exchange of wounded prisoners of war. KALTENBRUNNER declares that he repeatedly raised this question in the reports which it was his duty to make and recommended that it should be solved in a positive sense, but that HITLER was opposed to it. Did KALTENBRUNNER,

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on the occasion of your meeting, express his readiness again to raise this question before the Reich authorities, whereby the number of prisoners of war to be exchanged on both sides was not to be of major importance?

Answer: As a matter of fact, we did discuss the exchange of severely wounded persons, and I pointed out that according to the Convention an exchange person by person was out of the question and that only an exchange category by category could be contemplated, Dr. KALTENBRUNNER agreed to propose again in this sense to the competent Reich authorities the execution of such an exchange.

Question 17: According to KALTENBRUNNER, on 12 March 1945 you also raised th question whether it might be possible to release to Switzerland the Jews held in the camps? KALTENBRUNNER asserts that he agreed with you. It would seem that both of you adopted the standpoint that any other private enterprises would be impossible, as for instance the action aimed at by HIMMLER, to exchange Jews against economical and political advantages.

Answer: As a matter of fact, I requested the transfer to Switzerland of the Jews held in concentration camps in Germany, Dr. KALTENBRUNNER took note of this desire and declared that he would submit, in a positive sense, to the Reichfuehrer. I proposed, as another possible solution in case of a negative decision, that the International Committee should be allowed to send supplies to the Jews who were to be assigned to special camps and to be placed under the Committee's care, whereby I could refer to the promises made by the War Refugee Board concerning such a supply program. Dr. KALTENBRUNNER intended to submit this eventuality also for examination. I did in fact point out that negotiations in connection with the granting of economical or political advantages to the Reich were out of the question for the International Committee of the Red Cross.

Question 18, KALTENBRUNNER asserts that on 12 March 1945, speaking to you, he advocated the release of all Jews, on considerations of principle. Do you recall anything about this?

Answer: Dr. KALTENBRUNNER said: "That is the greatest nonsense; all Jews should be released; that is my personal opinion."

Question 19: KALTENBRUNNER told you that he intended to use his influence on behalf of the Jews in Theresienstadt and was willing to procure you access there. On this occasion KALTENBRUNNER is also supposed to have told you that in the Protectorate he did not have any authority over concentration camps, either. He hoped, however, to be able to obtain such authority for the further discussions, and he actually received it for the negotiations with Dr. BACHMANN of 24 April 1945. Is that correct? KALTENBRUNNER believes to recall having advised you, even without HIMMLER's previous permission, to send a relief transport to Theresienstadt immediately. Is this true?

Answer: The statements are carrect.

(s) Prof. BURCKHARDT

Certified true copy
(Dr. KAUFFMANN).

July 3, 1946

Exh. No. 41/5

Questionnaire to Dr. Hans BACHMANN, dated 28 January 1946

Question 1: How did your meeting with KALTENBRUNNER on the 24 April 1945 in Innsbruck come about?

Answer: "In the course of the efforts made by the International Committee of the Red Cross (IKRK) which were successful in gaining more humane treatment for the Allied prisoners of war and particularly for the detainees in the concentration camps, conferences were held on 12th March 1945 between the President of the IKRK and the Chief of the Security Police, Dr. KALTENBRUNNER. In this conference, Dr. Kaltenbrunner, among other things, held out the most definite prospect of repatriating the women, children, old people and the sick of French nationality in exchange for civilian internees of German nationality who were at the time held by France. The release of Jewish deportees was also discussed. It was intended to send them home by IKRK transport and the repatriation was to proceed through the neutral territory of Switzerland.

In order to discuss details, Dr. KALTENBRUNNER subsequently (his letter of 29th March 1945 to the President of the IKRK) designated two experts who were to meet a representative of the IKRK in Constance for regular negotiations. Since I had already taken part in the negotiations of the President of the IKRK on 12th March 1945, I was put in charge by the IKRK of the further conferences in Constance.

In the course of these conferences, during which the extent of the categories of persons to be repatriated could be steadily increased, I received a telephone message from our liaison in Kreuzlingen on 22nd April 1945 that Dr. KALTENBRUNNER wished to speak to Mr. MEYER, a delegate of the IKRK and me on Monday, 23rd April 1945 in Innsbruck. I therefore went forthwith to Innsbruck with Dr. MEYER.

Question 2: Did the liaison office set up in Constance succeed in achieving anything positive in such a relatively short time?

Answer: The liaison office set up in Constance, where the envoy WINDECKER and his

colleague Herr von REUTENFELD in particular worked, rendered valuable service in the course of the work of repatriation, as well as in connection with consignments of foodstuffs sent to the prisoners of war and deportees:

1. as intermediary with the competent Berlin offices,
2. in that it promoted certain actions on its own responsibilit it was, in partic lar, due to it that the first large convoy of motor vehicles, which were sent in the direction of Eger and Karlsbad to supply American and British prisoners of war who were on the march, were able to enter the territory of the German Reich, without Berlin producing the authorisation in themselves necessary,
3. in essentially facilitating the frontier traffic for IKRK delegates and columns of motor vehicles.

The experts, appointed by Dr. KALTENBRUNNER for the negotiations with the IKRK, were also able to render certain assistance in repatriating detainees, thanks to their connection with the commandants of individual concentration camps.

Question 3: You said to KALTENBRUNNER that the removal of approximately 3,000 French internees out of the labor camps located in Austria was in process in accordance with the March negotiations. Did KALTENBRUNNER help you in this by pointing out the best transport routes to you and by declaring himself prepared to see that the competent commander-in-chief made a crossing of the front possible?

Answer: "I can confirm that, during the conversation in Innsbruck, Dr. KALTENBRUNNER assured us of his assistance in carrying out the repatriation that, in particular, he tried to get into touch with the commandant of the Mauthausen concentration camp by telephone on that same evening so as to order the release of the detainees to be taken away by IKRK lorry, and that he also promised to work for the removal of detainees from the concentration camps in the North via Luebeck to Sweden. With reference to this, he wished to get into touch with the Naval War Staff through FUNK.

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It is quite correct that Dr. KALTENBRUNNER gave us all the desired information in connection with the transport routes and also promised to speak to the competent commanders about crossing the front.

Question 4: Did KALTENBRUNNER ask you to take immediate emergency measures to help the 14 000 Jews or so in Unskirchen near Wels in Upper Austria, and indicate the School House there as the transport's destination?

Answer: "Dr. KALTENBRUNNER actually asked us to organize auxiliary consignments for the 14,000 Jews in Unskirchen near Wels and to unload these consignments in the School-house there.

Question 5: You stressed the fact that the South Tyrol passes could also be used for their transport. Did KALTENBRUNNER give his consent to this? You asked whether on the same occasion the internees of this zone could also be taken along. Did KALTENBRUNNER tell you that he had no authority in this district and recommended to you to apply to WOLF, the SS Obergruppenfuehrer; then recommended to you nevertheless to proceed as if the authorization already existed by virtue of the March discussion?

Answer: It is quite correct that Dr. KALTENBRUNNER permitted the use of the roads out of Southern Tyrol. He at once agreed to the evacuation of 35-50 Allied Jews who were in the Bolzano camp. With regard to the evacuation of 200 Italian Jews in the same camp, Dr. KALTENBRUNNER referred us to Obergruppenfuehrer WOLF, as well as in connection with the 400 Hungarian Jews in Bolzano. WOLF would have been asked about this by the IKRK Delegation in Northern Italy.

I believe I remember that Dr. KALTENBRUNNER recommended us to act possibly even without this formal approval.

Question 6: Did KALTENBRUNNER state to you in a subsequent conversation of some length, on 24 April 1945, that he had made every effort to prevent any resistance on Austrian soil against the troops of the West powers?

Answer: It is quite correct that Dr. KALTENBRUNNER, at the conclusion of the technical conference, kept us for a snack, during which he embarked on a lengthy peroration, a sort of justification of the National Socialist policy and ideology. I cannot recall that he said then that he had done everything to prevent any resistance to the Western Powers on Austrian territory, his general remarks were, however, in this direction.

Question 7: Did a conference take place some time between 18 and 24 March in Berlin in presence of Envoy WINDECKER and did KALTENBRUNNER, at this conference, promise his support, to the best of his ability, and did he actually give it?

Answer: This concerns conferences of either the Berlin Delegation or the delegate, Dr. MEYER, in which I took no part.

sgd. Hans BACHMANN

April 11th 1946
Winterthur, Switzerland.

Certified true copy
(Dr. KAUFFMANN)

H0676 – 0026

July 3. 1946

Exh. No. 4/5

Questionnaire to Dr. Hans E.A.MEYER,

dated 28 January 1946

Question 1: How was it that you met KALTENBRUNNER in Innsbruck on 24 April 194

Answer: In April 1945, by order of the International Committee of the Red Cross (IKRK), I carried out negotiations in Constance, Kreuzlingen, Ravensburg and other places with the German authorities concerning exchanges of prisoner of war and detainees. As early as March, the President of the IKRK carried out negotiations with General KALTENBRUNNER with regard to exchange of German civilians held by the French against French in German camps. After negotiations in Berli between General KALTENBRUNNER' the Foreign Office and myself (commissioned by the IKRK), I was able, on 4th April 1945, to take 300 French women, as the first batch, to Switzerland. After this, further discussions on the batches to follow continued to take plac near the Swiss frontier.

A conference on 22nd April 1945, in the Inselhotel in Constance, WINDECKER, the envoy of the Foreign Office, handed me a radio message from KALTENBRUNNER from Salzburg. In it, General K. required whether "in continuation of the earlier conferences" in Innsbruck on 23rd April with the President of the IKRK and myself, he "could have another conference" with Dr. Hans BACHMANN, General Secretary of the IKRK, and myself. The meeting place would be the office of the commandant (Kommandeur) of the Security Police in Innsbruck, a "Sonder-Lore" (plane) would await us at Arlberg. Dr. BACHMANN and I arrived in Innsbruck in the evening of 23rd April; in the evening of 24th April, the desired conference took place.

Question 2: Did the liaison office set up in Constance succeed in accomplishing anything positive in the relatively short period of time?

Answer: As far as I can judge, yes. Their work was much hampered by the bad communication facilities and lack of contact with the highest authorities; it was, however, possible to take to Switzerland numerous foreign workers, prisoners of war and detainees. Their assistance with the IKRK's motor transports, by granting prisoners of war as chauffeurs, was very valuable.

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Question 3: You told KALTENBRUNNER that the removal of about 3,000 Fench internees from the labor camps in Austria was under way by reason of the March negotiations.
Did KALTENBRUNNER give you any assistance in this matter, by prescribing the best transport routes and by stating he was prepared to see that the competent Commander-in-Chief made a crossing of the front possible?

Answer: Yes.

Question 4: Did KALTENBRUNNER ask you to take immediate measures to help the 14,000 Jews or so in Unskirchen near Wels in Upper Austria and did he mention the school house there as the transport's destination?

Answer: Yes.

Question 5: You stressed the fact that the Southern Tyrol passes could also be used by your transports. Did KALTENBRUNNER agree to this? You asked whether the internees in this zone could also be included at the same time. Did KALTENBRUNNER tell you that he was not competent for this area and recommend you to apply to Obergruppenfuehrer WOLF; that he nevertheless recommended you to act as if approval had been granted by virtue of the March negotiations?

Answer: Yes. On our side, it was arranged to request Obergruppenfuehrer WOLF,through our IKRK Delegation in Northern Italy, to approve these transports.

Question 6: In a final lengthy conversation on 24 April 1945,did KALTENBRUNNER tell you that he had done everything to prevent any resistance on Austrian soil against the troops of the Western Powers?

Answer: I can no longer exactly remember about that. I was called away several times during the conversation. General KALTENBRUNNER did, however, express similar ideas.

Question 7: Did a conference take place in Berlin between about 18th and 24th March in the presence of Envoy von WINDECKER and did KALTENBRUNNER on that occasion promise and put into practice his every support?

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Answer: The conference between the President of the IKRK and General K. took place on 12/13 March. My first discussion with General KALTENBRUNNER took place on 31st March 1945 in the Foreign Office in Berlin, in the presence of the envoys WINDECKER and SCHMIDT of the Foreign Office and of a SS-Sturmbannfuehrer. Thes, negotiations led to the release of the French, Belgian and Dutch women in Ravensbruck Concentration Camp. My wish also to remove Jews from Theresienstadt or Bergen-Belsen to Switzerland was not granted for the time being; on the other hand, a visit to the camp in Theresienstadt was agreed to (also confirmed by a note from the Foreign Office to the Berlin Delegation of the IKRK) and approval was given for the supplying of the camp with food-stuffs and medical supplies when the next batch of detainees was taken away, in the same transports. I do not know, but I do not think any other discussions between General KALTENBRUNNER and th Berlin Delegation of the IKRK took place during the period between 18th and 24th March, previous to my above-mentioned conference. The Berlin Delegation of the IKRK, however, was always trying at that time to get into conversation with the competent authorities for concentration camps.

sgd. Dr. Hans E.A. MEYER

Zuerich, Switzerland, April 11th 1946.

Certified true copy

(Dr. KAUFMANN)

H0676 - 0029

July 3, 1946

Questionnaire to Friedrich Karl von EBERSTEIN Exh. No. 7

dated 26 March 1946

Question 1: Is it correct that the concentration camps were managed exclusively by the SS Economics and Main Office (SS Wirtschafts- und Hauptamt) in other words through the line of command of HIMMLER, POHL, GLUECKS, camp commander, and that KALTENBRUNNER as chief of the RSHA had no influence upon them?

Answer 1 : Yes. KALTENBRUNNER was in a position to send people as inmates to concentration camps, but was in no position to give orders concerning the administration of these camps.

Question 2: Is it correct that all orders concerning questions of concentratio camps could not be issued by anyone but the above named persons within the jurisdiction of the above mentioned agencies?

Answer 2 : Yes. Orders could only be given by HIMMLER, POHL, GLUECKS and the camp commander.

Question 3: Is it correct that all questions concerning concentration camps were treated with the utmost secrecy; and that the reason for this lies in the fact that the inhumane methods used in the concentration camps became known only to the small circle of people named above, even to the exclusion of all others, including the highest officials of the Reich?

Answer 3 : Everything concerning concentration camps was treated with the utmost secrecy is true, but I do not know whether or not the highest officials of the Reich knew about the treatment of the inmates.

Question 4: Do you know whether KALTENBRUNNER ever visited the Dachau concentration camp?

Answer 4 : I do not know.

Question 5: Do you know that KALTENBRUNNER had serious differences with the Munich District Leader (Gauleiter) GIESSLER and on account of them was cautioned by BORMANN?

Answer 5 : Yes, I know that KALTENBRUNNER had serious differences with the Munich District Leader (Gauleiter) GIESSLER but I do not know whether Bormann cautioned him or not.

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Question 6: Do you know that KALTENBRUNNER had been in Austria since 19 April 1945 and did not return to Berlin?

Answer 6 : Yes, I know that KALTENBRUNNER was in Austria about the last part of April, 1945, since I met him in Salzburg and also at Berchtesgaden. I do not know whether he returned to Berlin or not.

Question 7: Is it true that KALTENBRUNNER did not know about GIESSLER's plans to destroy the Dachau concentration camp?

Answer 7 : I do not know whether KALTENBRUNNER knew about GIESSLER's plans to destroy the Dachau concentration camp, but GIESSLER himself told me he was going to destroy the camp by dropping bombs from airplanes. I did not mention this to KALTENBRUNNER.

Question 8: Was the teletype message concerning the evacuation of the Dachau concentration camp signed by KALTENBRUNNER?

Answer 8 : I do not know.

Question 9: Do you know whether KALTENBRUNNER ever advocated destroying concentration camps in order to avoid their surrender to the approaching enemy?

Answer 9 : I do not know.

Question 10: Would you say that KALTENBRUNNER was full of ambition and lust for power and therefore took over the office of chief of the RSHA?

Answer 10: No. KALTENBRUNNER was not full of ambition and lust for power and did not desire to be chief of the RSHA.

Question 11: Is it correct that KALTENBRUNNER, when appointed chief of the RSHA, told HIMMLER that he was only willing to build up a central communication agency for political purposes, foreign and domestic, which up to that time had been lacking in the Reich, and that HIMMLER, after HEYDRICH's death, had reserved for himself direct command over MUELLER (office IV) and NEBE (Office V)?

Answer 11: I do not know.

Question 12: Is it true that the SD as such had no authority within the concentration camps and that only a few Gestapo officials visited concentration camps for the purpose of interrogations?

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Answer 12: Yes, it is true.

Question 13: Is it true that the entire executive power over the police (Gestapo, Criminal Police, arrests, shootings, etc.) was in the hands of HIMMLER?

Answer 13: Yes, it is true.

Question 14: Did you ever, and if so when for the first time, and to what extent, learn of cruelties in the treatment of inmates of concentration camps?

Answer 14: I heard of cruelties to inmates at concentration camp Dachau from a doctor whose name I do not remember and the camp commandant SS Obersturmbannfuehrer WEITHER that Dr. RASCHER was conducting experiments on human beings at Dachau, in the winter of 1943.

Question 15: Have you any proof of KALTENBRUNNER's intention to destroy the Dachau concentration camp by bombs or poison as well as the two Jewsih labor camps Landsberg and Muehldorf connected with it? This statement was made by Gaustabamtsleiter GERDES. After having known KALTENBRUNNER and his political aims for many years do you consider such a decision by him at all possible?

Answer 15: No, I have no proof. I consider it impossible for KALTENBRUNNER to make such a decision.

The above testimony was given of my own free will and accord, with no duress nor promise of reward, and the above testimony was read to me in the German language and I reaffirm that I have stated the truth, the whole truth, and nothing but the truth, so help me God.

Friedrich Karl von EBERSTEIN
Internee No. 6486
Camp 78
Zuffenhausen, Germany.

Certified true copy:

(Dr. KAUFFMANN)

 July 3, 1946

QUESTIONNAIRE TO AUGUST EINGRUBER, dated 27 March 1946

Exh. No. 6

Question 1: Is it true that in 1938 or 1939 the Concentration Camp in Mauthausen was established by POHL, and not by KALTENBRUNNER, upon HIMMLER's order?

Answer: As far as I recollect, the Concentration Camp of Mauthausen was established upon order of Obergruppenfuehrer EICKE, who was then commander of all concentration camps in Germany. Only later, so far I know, POHL took over this direction of all concentration camps. At any rate it was not KALTENBRUNNER who ordered this concentration camp to be established. He also had no influence as to that.

Question 2: Is it true, that this camp was exclusively under the control of the SS Bureau for Management of Affairs and Chief Administrative Bureau Berlin and that this office alone was responsible for billeting, messing and treatment of inmates ect. within the camp. Is that true of all concentration camps in general?

Answer: As much as I know about concentration camps, the entire administration rested with the SS Economic and Administration Main Office Berlin, at that time under EICKE and later under Obergruppenfuehrer POHL. Brigadefuehrer GLUECKS was inspector of all concentration camps. The management of concentration camps and everything behind the barbed wire was exclusively under the authority of this office. However, I know this only of Mauthausen and do not know whether it is true of all other camps. Rations were fixed by this SS Economic and Administration Main Office in agreement with the Reich Food Minister, because payments for the prisoners were made from there and messing itself was also a centralized affair since the SS had a central purchasing organization for all concentration camps, as well as for clothing which, so far I know, was the same in all concentration camps: striped suits.

Question 3: Is it true, if KALTENBRUNNER claims, that he never inspected the Mauthausen prison camp but only industrial plants outside of the camp, especially the stone-quarry and the gravel-works, and that consequently he never saw nor inspected the gaschambers of the concentration camp?

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Answer: I cannot say that because I never was in the concentration camp together with KALTENBRUNNER, so far I know. I think, he was once present when HIMMLER inspected the concentration camp. But I do not know whether KALTENBRUNNER was there alone.

Question 4: Is it true, that in many cases KALTENBRUNNER regularly backed your requests to HIMMLER for release of inmates, thereby successfully intervening on your behalf?

Answer: My requests for release of inhabitants of the Gau Upper Danube from concentration camps -- there were few out of my own Gau at Mauthausen, most of them were at Dachau or Buchenwald -- were sent by me according to instructions to KALTENBRUNNER, Chief of Security Police and of SD. I always found consideration with him for the release and I cannot remember any case in which he, upon my request, did not carry out the release from the CC. Especially in the year of 1944 it was our effort to release those prisoners who had already been a longer time in the CC. This succeeded in the most cases in which this request was made.

Question 5: Is it true that KALTENBRUNNER, personally, was not authorized to grant release from concentration camps, but that this lay exclusively in HIMMLER's hands?

Answer: I sent some requests for release of CC-prisoners having been in concentration camps for a long time already, to HIMMLER directly if I failed at KALTENBRUNNER's or if KALTENBRUNNER said: "I cannot do that, for that I am too weak, this HIMMLER reserved for himself. That would occur. However, KALTENBRUNNER once or several times told me that he became HEYDRICH's successor as Chief of Security Police and of SD but that he did not have the authority like HEYDRICH because HIMMLER reserved several matters for himself and KALTENBRUNNER hence, was just nominally the great man but HIMMLER apparently did not yet think him thoroughly reliable. KALTENBRUNNER frequently told me that he had difficulties because he had to ask HIMMLER in too many affairs.

Question 6: How long have you known KALTENBRUNNER? Can you give us a short

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digest of your observations with respect to his character? Was he craving for power? Was he social-minded and ready to help?

Answer: I know KALTENBRUNNER since 1932, maybe 1933. Craving for power is not Austrian mentality. He was not craving for power. He was social-minded and ready to help. It was not his fault that he became Chief of Security Police and of SD. I am entitled to say that because he never applied for the position. He was surprised that HIMMLER assigned him to that.

Question 7: Do you know his attitude regarding the Jewish question and the church question?

Answer: Properly speaking he was a peace-loving man. He was no rowdy, no radical. In the church question he was tolerant. He never approved of this radical course taken by the Party Chancellery and HIMMLER himself together with some SS-officers, mainly those of the Race Policy Office, as all of us did not do that, at least in my Gau. I, too, did not leave though I was Gauleiter and Reichsstatthalter. I do not know whether KALTENBRUNNER left the church. As far as I know he as Higher SS and Police Leader in Vienna, where he was also Police Leader of Upper Danube, in the Jewish question never gave a directive more radical than coming from Berlin. In my Gau, for instance, no Jew was killed by the State Police which was under KALTENBRUNNER, nor a Jew killed at all. Hence, such orders never arrived. For the rest, he was anti-Semit, else he would not have been a Nazi.

I swear by God the All Mighty that I have stated the absolute truth, that I have kept nothing silent and that I have added nothing.

signed: EIGRUBER, August

Certified true copy:

(Dr.KAUFFMANN)

Filed July 3, 1946

Exh. No. 8

Questionnaire to Wilhelm WANECK, dated 28 March 1946

Question 1. Since when and in what capacity did you work in Office VI of the Reich Security Office (RSHA)?

Since when did you know KALTENBRUNNER ?

Since when did you know SCHELLENBERG ?

Answer : I had worked since December 1934 at the Reich Security Main Office I was at first adviser in the former Central Section III/2 and hereafter in III/3. From Office III/2 and III/3 Office VI was formed at the end of 1939. At the same time I became a reporter for RUMANIA, BULGARIA and later on also for GREECE, August 1943 I became Gruppenleiter VI E (VI E 1-7 South-East Europe). I held this position till the collapse in 1945. I have known KALTENBRUNNER personally very well since the middle of 1938 previous to this I saw him shortly several times. I have known SCHELLENBERG since he joined the Reich Security Main Office as far as I know since the end of 1935 or the beginning of 1936.

Question 2. Is it true that SCHELLENBERG was a special confident of HIMMLER's and therefore showed a strong dislike toward KALTENBRUNNER ?

Answer : Yes that is correct SCHELLENBERG immediately after the death of HEYDRICH entered into a direct duty status toward HIMMLER and through his very clever and adroit behaviour won his confidence very soon. In several occasions longer personal conferences took place between SCHELLENBERG and myself in which he expressed his deep satisfaction over his good, and personally ever growing more intimate relationship towards HIMMLER. He was especially glad because of the strong positive interest which HIMMLER showed towards VI - work. From the mouth of SCHELLENBERG himself I heard that HIMMLER had introduced him at the nomination of KALTENBRUNNER to the Chief of the Security Police with about the following words:..... This is my Benjamin, I particulary would like to have him looked after.... SCHELLENBERG always considered thas as a special proof of HIMMLER's confidence. From the start he had a certain reserve towards KALTENBRUNNER the newcomer on account of above facts. Furthermore SCHELLENBERG and KALTENBRUNNER were two people who stood entirely diametrically opposed to each other in their whole mentality and point of view. Therefore differences of opinions and arguments occurred very often.

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I believe that SCHELLENBERG found in KALTENBRUNNER for the first time a man who should have seen through him 100% and who because of his greater experience in life and his human superiority could have taught and corrected him in the most natural and fundamental manner. A SCHELLENBERG particularly could not bear this, so that he always had a bad feeling towards KALTENBRUNNER. In repeated conversations SCHELLENBERG talked with me unhappily, yes even desperatel so that I almost might say that he in reality at the bottom of his heart could not stand KALTENBRUNNER, indeed perhaps even hated him.

Question 3. Is it true that KALTENBRUNNER considered his main task within the Reich Security Office (RSHA), the organizing of a central information service, and that above all, he worked on questions of foreign policy and corresponding information service, that all executive functions, Gestapo, Criminal police, in short all police functions were completely crowded into the background ?

Answer : This is correct to the fullest extent. KALTENBRUNNER, of his own initiative/brought with him great interest in foreign policy, and in continued discussions, I was able to observe again and again his clarity, his intelligent establishment of objectives and his considered judgment in all questions of foreign policy. I had to consider him especially talented in this field, because one was forcibly struck by the way in which he expressed his thoughts concerning natural and constructive solutions in every respect. Maybe his interests and his attitude in this field were not ultimately the result of the peculiarity of his profession, to observe people and events in a certain free and easy and natural manner. From this tendency resulted also his excessive and proverbial preference for Office VI, to the disadvantage of the other offices, but especially for Office IV, which was often strongly criticised in my presence, by MUELLER among others. This circumstance was frequently also vigorously discussed in the circles of the adjutants, during which it was set forth that KALTENBRUNNER did not care enough about Office IV and that he left everything to MUELLER.

In any case, the obvious preference for Office VI often gave rise to discussions within the Reich Security Office (RSHA), KALTENBRUNNER himself pictured the creation of a real secrete service as his ultimate aim, which he did not yet see in the prevailing form of Office VI, since the whole structure of the Reich Security Office (RSHA) was much too militaristic and stereotyped for his taste.

Question 4. Can you confirm, that KALTENBRUNNER declined to HIMMLER to occupy himself with police work in an executive capacity, because he was not interested in these functions of the Reich Security Office (RSHA), and that, on account of lack of aptitude for police functions, he wanted to occupy himself solely with political matters, especially foreign political information service ?

Did KALTENBRUNNER ever inform you about such an agreement with HIMMLER

Answer : I can confirm this inasmuch as KALTENBRUNNER has informed me in an unmistakable manner several times already before his nomination as Chief of Sipo (CDS) that, especially with regard to executive powers, he had no interest ever to become Chief of Sipo. He told me this during my frequent visits to him in Vienna in the autumn of 1942 when I alluded to it that he might be regarded as a future Chief of Sipo. With regard to the experience that HIMMLER always reserved to himself the final decision in important State police affairs, that is that he strictly tutored and corrected the Chief of Sipo, even interpolated himself, as had been constantly the case already in HEYDRICH's time.

In many respects the Chiefs of Sipo and SRPO only handled matters and were the executive Organs of HIMMLER who held direct central power, at least that is how they were kept and this produced constantly faulty constructions. When it produced factual continuity, KALTENbrunner often mentioned that he had come to an understanding with HIMMLER to be more active in the sector of foreign policies and intelligence and that HIMMLER himself wanted to exercise more personal influence in the executive branch. According to my information, HIMMLER was

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the more agreeable to this arrangement, as he believed that he could rely on KALTENBRUNNER's political instinct in questions of foreign policy, as was evident from various remarks of HIMMLER.

. . . . . .

May I ask, in conclusion, that in case of further questions I may be given the opportunity of being heard, because I believe that during such questioning I may be able to furnish further concrete answers that may not occur to me at the moment.

I have read the foregoing transcription of my question and answer testimony, my name being signed at the bottom of each page, and I hereby certify that I understand the questions and answer fully and that I made such testimony willingly, and of my own free will without duress, coercion, or threats or promises.

(signed) Wilhelm Bruno WANECK

Certified true copy

(Dr. KAUFFMANN)

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July 3, 1946

Exh. No. 9

Mayor of the town Dachau

To Dr. Kurt Kauffmann

Defence Counsel

Nuernberg

International Military Tribunal

In reply to your inquiry I beg to inform you as follows:

With regard to the prisoners who worked outside the camp, they were strongly guarded by SS guards and it was extremely rare that it was possible to get into communication with them. As the prisoners had to reckon with very severe punishment in the camp if they were ovserved by the sentries, they on their part were also very careful and cautious.

It was impossible to obtain any information from the released prisoners about the conditions in the camp, as it is well known, they kept icy silence even with their best friends. The spreading of news about conditions in the concentration camp was very often the cause, even in their first years there, of their sentence on the charge of "spreading atrocity fairy tails" and a violation of the law concerning malicious acts against the State.

According to my interpretation, which is based not only on my direct experience during the last 12 years, but also on the remarks of many prisoners with whom I have been able to speak lately, it was impossible for them to communicate to outsiders any details about the incidents in the camp. These prisoners gave me as a reason, amongst others, that they did not wish to run the risk of a painful end by the well known disciplinary measures of the camp through the careless remark of a third party.

The treatment was partly also so barbaric that

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an outsider would not have thought it generally possible at this time, should he have been informed regarding these details.

This conception was also confirmed to me by earlier prisoners.

The Mayor of the town of Dachau:

(signed) Dr. Joseph Schwalber

I herewith certify this to be a true copy of the original.

(signed Dr. Kauffmann)

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Parson Martin Niemoeller, D.D. Buedingen/Hessen, 17. 4. 1946

Castle K/K

July 3, 1946

Exh. No. 10

Declaration

"I am convinced that the overwhelming majority of the German people knew nothing about the actual incidents and conditions in the concentration camps. That in the majority of cases they remained unknown to the prisoners is however not true. The news and information about the happenings in the camp penetrated even to me in my solitary confinement at Oranienburg and later in the milder form of "custody for four" in Dachau through the underground channels, in so far as we did not witness them ourselves. On the other hand it is correct, that almost all concentration camp prisoners who were released before the end, were threatened that they would be arrested again immediately if they blabbed, and that therefore only a very small minority said anything about their experiences. This is as far as my personal experience goes in this matter."

I make this declaration in lieu of oath.

signed Parson Martin Niemoeller

I certify this to be a true copy of the Original.

signed (Dr. Kaufmann)